## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA MIDDLE DIVISION

SAUL CRUZ, individually and on	
behalf of all others similarly situated,	)
Plaintiffs,	) )
	) Case No.: 4:08-CV-342-VEH
V.	)
	)
CINRAM, INC.; ELWOOD TRI,	)
INC.; BLAIR STAFFING, INC.; and	)
LYONSHR, INC.,	)
	)
Defendants.	)
	)
	)

## **FINAL DISMISSAL ORDER**

The Plaintiff in this case is Saul Cruz. The Defendants remaining at this time are listed on the court's docket sheet as Cinram, Inc., Tri Staffing, Blair Staffing and Logistics, and The Job Center. However, based upon prior pleadings in the court file, the court **DIRECTS** the Clerk to substitute the following Defendants on the docket sheet:

1. Substitute Elwood Tri, Inc, d/b/a Elwood Staffing for Tri Staffing<sup>1</sup>;

<sup>&</sup>lt;sup>1</sup> See docs. 10, 15, 42, 50, and 50-2.

- 2. Substitute Lyons HR, Inc. for The Job Center<sup>2</sup>; and
- 3. Substitute Blair Staffing, Inc. for Blair Staffing and Logistics<sup>3</sup>.

This matter comes before the court on the Joint Stipulation of Dismissal of Plaintiff and Defendants Cinram, Inc., Elwood Tri, Inc. d/b/a Elwood Staffing, and Lyons HR, Inc. (Doc. 50) and the Joint Stipulation of Dismissal of Plaintiff and Defendant Blair Staffing, Inc. (Doc. 51) (the "Joint Stipulations") and the court's Order of August 28, 2008 (Doc. 41). Based upon the court's Order and the Joint Stipulations, the court finds that the Plaintiff has failed to state a claim against Defendants Cinram, Inc., Elwood Tri, Inc. d/b/a Elwood Staffing, Lyons HR, Inc., or Blair Staffing, Inc. upon which relief can be granted and has failed to plead each of his claims against each Defendant, including his fraud and RICO claims, with requisite particularity.

Accordingly, this case is **DISMISSED WITH PREJUDICED** as to Defendants Cinram, Inc., Elwood Tri, Inc. d/b/a Elwood Staffing, Lyons HR, Inc. and Blair Staffing, Inc., with each party to bear its own costs, fees, and expenses.

<sup>&</sup>lt;sup>2</sup> See docs. 13, 15, 42, 50, and 50-2.

<sup>&</sup>lt;sup>3</sup> See docs. 11, 15, 42, 51, and 51-2.

**DONE** and **ORDERED** this the 12th day of November, 2008.

VIRGINIA EMERSON HOPKINS

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United States District Judge